



Order Filed on August 24, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Friedman Vartolo LLP
1325 Franklin Avenue, Suite 160
Garden City, NY 11530
bankruptcy@friedmanvartolo.com
T: (212) 471-5100
F: (212) 471-5150
Attorneys for Shellpoint Mortgage Servicing as
servicer for US Bank Trust National Association, Not
In Its Individual Capacity But Solely As Owner
Trustee For VRMTG Asset Trust

In Re:

Vanessa H. Douglass

Debtor

Case No.: 18-11548-ABA

Chapter: 13


Hearing Date:
July 11, 2023 at 10:00 am

Hon. Judge: Andrew B Altenburg Jr.

**ORDER RESOLVING CERTIFICATION OF DEFAULT SUBMITTED UNDER 7-DAY
RULE**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: August 24, 2023



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Applicant: Shellpoint Mortgage Servicing as servicer for US Bank Trust
National Association, Not In Its Individual Capacity But Solely As
Owner Trustee For VRMTG Asset Trust

Applicant's Counsel: Friedman Vartolo LLP

Debtor's Counsel: Ellen M. McDowell, Esquire

Property (Collateral): 65 East Collings Avenue, Collingswood, NJ 08108

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 7 months, from 11/1/2022 to 5/1/2023.
- ☒ The Debtor(s) is/are overdue for 7 payments at \$1,398.12 per month.
- ☐ The Debtor(s) is/are due for \$0.00 in accrued late charges.
- ☐ The Debtor(s) is/are due for \$0.00 in attorney's fees and costs.
- ☒ Applicant acknowledges suspense funds in the amount of \$1,164.79.

Total Arrearages Due: \$8,622.05

2. Debtors must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of _____. Payment shall be made no later than _____.
- ☒ Beginning on June 9, 2023, regular monthly mortgage payments shall continue to be made in the amount of \$1,398.12. The regular payments shall be made on July 7, 2023, August 4, 2023, and September 1, 2023. Further regular payments will be due on the 1st of each month.
- ☒ Beginning on June 23, 2023 additional monthly cure payments shall be made in the amount of \$2,231.00 for 3 months. The following additional payments shall be made on July 21, 2023, and August 18, 2023.
- ☐ Debtors shall tender an additional monthly cure payment of \$1,929.05 on September 15, 2023.
- ☐ The amount of _____ shall be capitalized in the debtor's Chapter 13 plan.

Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments:

Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603-0826

4. In the event of default:

☒ Should the Debtors fail to make any of the above captioned payments, fail to file an amended plan or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtors convert to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$200.00 and costs of \$0.00

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

In re:
Vanessa H. Douglass
Debtor

Case No. 18-11548-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Aug 24, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2023:

Recip ID	Recipient Name and Address
db	+ Vanessa H. Douglass, 65 East Collings Ave., Collingswood, NJ 08108-1509

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2023 at the address(es) listed below:

Name	Email Address
Craig Scott Keiser	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION craig.keiser@law.njoag.gov
Denise E. Carlon	on behalf of Creditor SPECIALIZED LOAN SERVICING LLC dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Ellen M. McDowell	on behalf of Debtor Vanessa H. Douglass emcdowell@mcdowelllegal.com lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamison@mcdowelllegal.com;cgetz@mcdowelllegal.com;r62202@notify.bestcase.com;mcdowell62202@notify.bestcase.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com

District/off: 0312-1

User: admin

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Date Rcvd: Aug 24, 2023

Form ID: pdf903

Total Noticed: 1

Harold N. Kaplan

on behalf of Creditor Selene Finance LP hkaplan@rasnj.com kimwilson@raslg.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jason Brett Schwartz

on behalf of Creditor Shellpoint Mortgage Servicing as Servicer for US Bank Trust National Association Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust bkecf@friedmanvartolo.com, bankruptcy@friedmanvartolo.com

Kevin Gordon McDonald

on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com

Thomas G. Egnor

on behalf of Debtor Vanessa H. Douglass tegner@mcdowelllegal.com
tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis
on@mcdowelllegal.com;cgetz@mcdowelllegal.com;egnertr62202@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12